

A REGULAR MEETING OF THE FAUQUIER COUNTY BOARD OF SUPERVISORS WAS HELD APRIL 15, 1997 AT 1:00 P.M. IN WARRENTON, VIRGINIA

P R E S E N T Mr. David C. Mangum, Chairman; Mr. James G. Brumfield, Vice Chairman; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks; Mr. G. Robert Lee, County Administrator; Mr. Paul S. McCulla, County Attorney

CAPITAL IMPROVEMENTS PROGRAM (CIP) FY 1998-2003

A work session was held to review and discuss the FY 1998-2003 Capital Improvements Program.

DEVELOPMENT OF A TRIBUTARY NUTRIENT REDUCTION STRATEGY FOR THE RAPPAHANNOCK RIVER BASIN - DEPARTMENT OF ENVIRONMENTAL QUALITY

Collin Powers, representing the Department of Environmental Quality, presented the plan for development of a tributary nutrient reduction strategy for the Rappahannock River Basin.

SOLID WASTE RECYCLING PROGRAM

Ellis Bingham and Benji Brackman presented a landfill and recycling update.

PROPOSED AMENDMENT TO THE BYLAWS OF THE RAPPAHANNOCK-RAPIDAN COMMUNITY SERVICES BOARD

A work session was held to discuss proposed amendments to the bylaws of the Rappahannock-Rapidan Community Services Board.

EXECUTIVE SESSION

Mr. Brumfield moved to go into executive session pursuant to Virginia Code Section 2.1-344(A)(3) for discussion or consideration of acquisition or use of real property for public purposes, and Section 2.1-344(A)(7) for consultation with legal counsel pertaining to potential litigation. Mr. Burton seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks
Nays: None
Absent During Vote: None
Abstention: None

Upon reconvening from executive session, Mr. Brumfield moved to adopt the following certification. Mr. Burton seconded.

CERTIFICATION OF EXECUTIVE MEETING

WHEREAS, the Fauquier County Board of Supervisors has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provision of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by this Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law; now, therefore, be it

RESOLVED this 15th day of April 1997, That the Fauquier County Board of Supervisors certifies that, to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Fauquier County Board of Supervisors.

VOTE:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks

Nays: None

Absent During Vote: None

Absent During Meeting: None

LIBRARY TOUR

Members of the Board of Supervisors toured the public library in recognition of National Library Week.

The meeting was reconvened in regular session in the Warren Green Meeting Room at 6:30 p.m.

ADOPTION OF THE AGENDA

Mr. Brumfield moved to adopt the agenda. Mr. Burton seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks

Nays: None

Absent During Vote: None

Abstention: None

CITIZENS TIME

Sally Murray, Tourism Coordinator, handed out Fauquier County's tour guide and announced that May was Virginia Heritage Tourism Month.

A RESOLUTION TO RECOGNIZE THE RETIREMENT OF RUTH A. HOAK

Mr. Brumfield moved to adopt the following resolution. Mr. Weeks seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks

Nays: None

Absent During Vote: None

Abstention: None

RESOLUTION

A RESOLUTION TO RECOGNIZE THE RETIREMENT OF RUTH A. HOAK AND TO COMMEND HER OUTSTANDING CONTRIBUTIONS TO THE COUNTY OF FAUQUIER

WHEREAS, the Fauquier County Board of Supervisors recognizes that the County's employees are its most valuable resource; and

WHEREAS, during the period from November 1987 through April 1997, Ruth A. Hoak served with great distinction as the Land Development Technician for the Fauquier County Department of Community Development; and

WHEREAS, Ruth A. Hoak was recognized for her outstanding performance and dedicated service in October 1992 with the Fauquier County Employee of the Month Award; and

WHEREAS, the performance of Ruth A. Hoak has been characterized as loyal, dedicated, and committed to the public and her fellow workers; and

WHEREAS, Ruth A. Hoak officially retires on April 30, 1997; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 15th day of April 1997, That Ruth A. Hoak be, and is hereby, commended for her service to the citizens of Fauquier County; and, be it

RESOLVED FURTHER, That the Board of Supervisors, on behalf of all citizens of Fauquier County and her fellow workers, extends gratitude and best wishes to Ruth A. Hoak for a most enjoyable retirement and continued success in all future endeavors.

Mr. Weeks presented a copy of the resolution to Ms. Hoak.

A PROCLAMATION COMMENDING THE FAUQUIER HIGH SCHOOL BOYS BASKETBALL TEAM

Mr. Brumfield moved to adopt the following proclamation. Mr. Burton seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks

Nays: None

Absent During Vote: None

Abstention: None

PROCLAMATION

A PROCLAMATION TO RECOGNIZE AND COMMEND THE FAUQUIER HIGH SCHOOL BOYS BASKETBALL TEAM

WHEREAS, the Fauquier High School Boys Basketball Team was the champion of the Fauquier-Times Holiday Tournament; and

WHEREAS, the Fauquier High School Boys Basketball Team finished its regular season in first place in the Northwestern District with a record of fourteen wins and no losses; and

WHEREAS, the Fauquier High School Boys Basketball Team set a school record of nineteen wins in a row and twenty-four wins in a season; and

WHEREAS, the Fauquier High School Boys Basketball Team is to be congratulated as champion of Region II in AA Classification of the Virginia High School League; and

WHEREAS, the Fauquier High School Boys Basketball Team succeeded in making it to the Final Four in the State Basketball Tournament; and

WHEREAS, the Fauquier High School Boys Basketball Team was honored as winner of the Marshall Johnson Sportsmanship at the State Basketball Tournament; and

WHEREAS, the Fauquier High School Boys Basketball Team is applauded for its overall record of twenty-four wins and three losses; now, therefore, be it

PROCLAIMED by the Fauquier County Board of Supervisors this 15th day of April 1997, That the Fauquier High School Boys Basketball Team be, and is hereby, recognized and commended for an outstanding basketball season for 1997.

Mr. Brumfield presented a copy of the proclamation to the Fauquier High School Principal, coaches, and team.

CONSENT AGENDA

Mr. Green moved to adopt the following Consent Agenda items. Mr. Brumfield seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr.
Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry
L. Weeks

Nays: None

Absent During Vote: None

Abstention: None

Approval of the Minutes of the March 18 and April 1 Regular Meetings and the March 26 Adjourned Meeting

A Resolution to Award a Contract for the Design and Construction of T-Hangar Units at the Warrenton-Fauquier Airport

RESOLUTION

A RESOLUTION TO AWARD CONTRACT FOR THE DESIGN
AND CONSTRUCTION OF T-HANGAR UNITS
AT THE WARRENTON-FAUQUIER AIRPORT

WHEREAS, Fauquier County accepted sealed proposals from prospective developers to finance, develop, construct, and manage a t-hangar type building project for the Warrenton-Fauquier Airport, in accordance with terms and conditions as contained in the attached Lease Agreement; and

WHEREAS, the Fauquier County Airport Committee, being appointed by the Fauquier County Board of Supervisors, served as the Evaluation Committee to select an offeror; and

WHEREAS, the Fauquier County Airport Committee, acting as the Evaluation Committee, completed the procurement process, with a final scoring being conducted following the interviews with the two prospective offerors; and

WHEREAS, the Fauquier County Airport Committee was informed of all aspects of the evaluation process and the submitted proposals and does hereby recommend to the Board of Supervisors that Tracey Corporation and Associates be selected as the successful offeror; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 15th day of April 1997, That the contract and lease for the financing, development, construction and management of the t-hangar project at the Warrenton-Fauquier Airport be, and is hereby, awarded to Tracey Corporation and Associates; and, be it

RESOLVED FURTHER, That County staff be, and is hereby, directed, as a matter of high priority, to take all steps necessary to expedite the contract and lease in close coordination with the appropriate Fauquier County Airport Committee members and to proceed with the project as specified in the Request for Proposal #96-11-25KM, as amended.

A Proclamation to Honor All Teachers During Teacher Appreciation Week (4-10 May 1997)

PROCLAMATION

A PROCLAMATION TO RECOGNIZE ALL FAUQUIER
TEACHERS DURING THE WEEK OF MAY 4-10, 1997
IN OBSERVANCE OF TEACHER APPRECIATION WEEK
FOR THE EXCELLENT WORK IN THIS COUNTY.

WHEREAS, teachers work hand-in-hand with parents to shape the lives of our children; and

WHEREAS, our society expects all children to achieve success in public schools; and

WHEREAS, the future of our country depends upon the successes of our youth today; and

WHEREAS, our teachers work above and beyond the call of duty to ensure that today's students have the knowledge to become contributing members of society; and

WHEREAS, we recognize the important influence teachers have on the future of our children and thus the future of our community and of our County; now, therefore, be it

PROCLAIMED by the Fauquier County Board of Supervisors this 15th day of April 1997, That all Fauquier County teachers be honored by their community for the fine service they have performed for our children and the County by serving as a teacher; and, be it

PROCLAIMED FURTHER, That on behalf of the citizens of Fauquier County, the Board of Supervisors extends its gratitude for a service well done and hereby proclaims May 4 through 10 as Fauquier County Teacher Appreciation Week, and calls its significance to all citizens.

FY 1997 Supplemental Appropriations

RESOLUTION(FY97)

A RESOLUTION TO APPROPRIATE FUNDS

WHEREAS, the Board of Supervisors is charged by the Code of Virginia with the preparation of an annual budget for Fauquier County; and

WHEREAS, this annual budget is a plan of how funds received by the County will be used to meet the needs of the citizens of the County; and

WHEREAS, during the course of the fiscal year, certain events occur which necessitate changing the budget plan by increasing a department's total budget; and

WHEREAS, funds needed to increase a department's budget must come from an outside source such as State, Federal, grant or other local sources such as the County's Reserve for Contingency; and

WHEREAS, proper justification for funding adjustments has been presented as outlined below:

Social Services: Head Start Federal Funds Appropriation
\$125,000

Social Services: Family Preservation Appropriation
\$43,812

Vint Hill Economic Development Authority: Carryover Appropriation
\$7,418

Capital Projects: Establish Courthouse Maintenance Project
\$153,186

Sheriff: Sale of Vehicles Appropriation
\$6,800

Total
\$336,216

to the Board of Supervisors; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 15th day of April 1997, That the sum of \$336,216 be appropriated and is hereby approved.

A Resolution to Adopt the Health Insurance Program for School and General County Employees

RESOLUTION

A RESOLUTION TO ADOPT THE HEALTH INSURANCE
PROGRAM FOR SCHOOL AND GENERAL COUNTY EMPLOYEES

WHEREAS, the General Government and School Division have joined together in a partnership to develop greater uniformity and equality of benefits for local government employees; and

WHEREAS, the health insurance programs for the School Division and General Government previously consolidated health insurance program administration which resulted in a savings for both taxpayers and County employees in premium costs; and

WHEREAS, the Consolidated Services Committee directed the Health Insurance Advisory Committee to expand insurance options and create equal program coverage for County and School Division personnel; and

WHEREAS, the report and recommendations of the Health Insurance Advisory Committee were unanimously endorsed by the Consolidated Services Committee, in meeting assembled on 3 April 1997; now, therefore, be it

RESOLVED by the Board of Supervisors this 15th day of April 1997, That the recommendations of the Health Insurance Advisory Committee be, and are hereby, endorsed.

A Resolution to Authorize Mr. Brumfield to Utilize a Portion of Discretionary Funds to Purchase a Dictaphone Recorder

RESOLUTION

A RESOLUTION TO AUTHORIZE MR. BRUMFIELD TO
UTILIZE A PORTION OF CENTER DISTRICT DISCRETIONARY
FUNDS TO PURCHASE A DICTAPHONE RECORDER

WHEREAS, the FY 1997 approved budget allocates a \$500 discretionary fund for each magisterial district supervisor to be used for the betterment of their respective districts; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 15th day of April 1997, That Mr. Brumfield be, and is hereby, authorized to use a portion of the \$500 discretionary fund allotment to purchase a Dictaphone recorder to dictate correspondence.

Authorization to Approve Position Reclassifications

RESOLUTION

A RESOLUTION TO AUTHORIZE POSITION RECLASSIFICATIONS

WHEREAS, the Board of Supervisors is charged by the Code of Virginia with the preparation of an annual budget for Fauquier County; and

WHEREAS, this annual budget is a plan of how funds received by the County will be used to meet the needs of the citizens of the County; and

WHEREAS, during the course of the fiscal year certain events occur which necessitate changing the budget plan by increasing a department's total budget; and

WHEREAS, several position reclassifications have been recommended by David M. Griffith & Associates and approved by the Joint Personnel Committee as part of the Board approved pay plan and position classification system; and

WHEREAS, funds needed to increase a department's budget must come from an outside source such as State, Federal, grant or other local sources such as the County's Reserve for Contingency; and

WHEREAS, proper justification for these actions has been presented to the Board of Supervisors; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 15th day of April 1997, That the submitted position reclassifications are approved for incorporation into the pay plan with an effective date of April 1, 1997; and, be it

RESOLVED FURTHER, That the sum of \$320.00 be transferred to the appropriate departments.

Pay Range	Class	Grade	Minimum	Maximum
GIS Specialist Senior	19	\$24,790	\$37,735	
Buildings and Grounds Coordinator		17	\$23,963	\$36,467

Authorization for Increased Expenditure of Funds - Solid Waste

RESOLUTION

A RESOLUTION TO INCREASE THE SCS ENGINEERING CONTRACT FEE

WHEREAS, in recent months the severe weather conditions have caused unforeseen delays in the Corral Farm landfill construction; and

WHEREAS, the construction schedule has been longer and field Quality Assurance (QA) efforts have been greater for additional earthwork and QA efforts to overcome excessive soil moisture and stormwater erosion; and

WHEREAS, an additional increase of \$5,466 is required for QA efforts to complete construction; and

WHEREAS, the Virginia State Permit No. 574 requires that a certified Quality Assurance Engineer be on site during the construction phase; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 15th day of April 1997, That the SCS Engineer contract price increase be, and is hereby, approved for \$5,466.

A RESOLUTION TO ADOPT THE FY 1998-2003 CAPITAL IMPROVEMENTS PROGRAM

Mr. Weeks moved to adopt the following resolution. Mr. Brumfield seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks

Nays: None

Absent During Vote: None

Abstention: None

RESOLUTION

A RESOLUTION TO ADOPT THE FY 1998-2003 CAPITAL IMPROVEMENTS PLAN (CIP)

WHEREAS, the Board of Supervisors has established an objective to adopt the Capital Improvements Plan (CIP) by December of each year; and

WHEREAS, the CIP Advisory Committee and Planning Commission have had several developmental meetings to formulate the recommended CIP; and

WHEREAS, both the Planning Commission and the Board of Supervisors have held respective public hearings on the recommended CIP; and

WHEREAS, the Board of Supervisors has held a work session during which the Board suggested revisions to the recommended CIP; and

WHEREAS, the revisions suggested by the Board of Supervisors have been incorporated into the FY 1998-2003 CIP; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 15th day of April 1997, That the FY 1998-2003 Capital Improvements Plan be, and is hereby, adopted with the revisions incorporated in the Appendix.

REDUCTION IN THE TEN YEAR FAMILY TRANSFER LOT NON-SALE PROVISION - ROBERT V. DECH, III

Mr. Green moved to adopt the following resolution. Mr. Brumfield seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry L. Weeks

Nays: None

Absent During Vote: None

Abstention: None

RESOLUTION

A RESOLUTION TO APPROVE THE REQUEST OF
ROBERT W. DECK, III AND DEBORAH D. PILAND
TO REDUCE THE TIME REQUIREMENT OF SECTION 2-39.3.A.3 OF
THE FAUQUIER COUNTY SUBDIVISION ORDINANCE
TO ALLOW THEM TO TRANSFER A FAMILY TRANSFER
TO A NON-IMMEDIATE FAMILY MEMBER

WHEREAS, the applicants, Robert W. Deck, III and Deborah D. Piland,
were the recipients of a family transfer parcel in October 1994; and

WHEREAS, a number of changed circumstances have made it a severe
hardship for Mr. Deck and Ms. Piland to continue to own the property; and

WHEREAS, Section 2.39-14 of the Subdivision Ordinance allows the
Board of Supervisors to reduce the ten (10) year restriction on selling a family
transfer parcel to a non-immediate family member if it finds an extraordinary
hardship is caused by the ten (10) year restriction; now, therefore, be it

RESOLVED, by the Fauquier County Board of Supervisors this 15th day
of April 1997, That the requirement that Robert W. Deck, III and Deborah D.
Piland hold their family transfer parcel for a period of ten (10) years be reduced
so that the parcel may be transferred to a non-immediate family member.

SPECIAL EXCEPTION - B.G. SOWDER, TRUSTEE - ALTERNATIVE WASTEWATER SYSTEM

A public hearing was held on March 18, 1997 to consider a request for
special exception approval for B.G. Sowder, Trustee, for an alternative
wastewater system, recirculating sand filter, and to discharge treated domestic
waste into a tributary of the Rappahannock River to serve an individual
residence on a 2.1018 parcel. The property is located at the intersection of
Routts Hill Road (Route 685) and Lees Mill Road (Route 651) north of Botha,
Lee District. Mr. Mangum moved to adopt the following resolution. Mr. Weeks
seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr.
Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry
L. Weeks

Nays: None

Absent During Vote: None

Abstention: None

RESOLUTION

A RESOLUTION TO APPROVE SPECIAL EXCEPTION
REQUEST #SE97-L-02
B.G. SOWDER PROPERTY

WHEREAS, the applicant, B.G. Sowder, is requesting a special exception
to allow an alternative wastewater system, recirculating sand filter, and to
discharge treated domestic waste into a tributary of the Rappahannock River to
serve an individual residence on a 2.1018 acre parcel; and

WHEREAS, the applicant has submitted written proof of notification of all downstream property owners for a distance of one (1) mile as prescribed in Section 17-17 of the Code of Fauquier County, Virginia; and

WHEREAS, the Special Exception Application of B.G. Sowder has been properly filed and all required notices of the public hearing have been properly made, and the applicant has presented evidence both oral and documentary, and the staff has a filed staff report, all indicating compliance with the general standards for special exception as set forth in Article 5 of the Zoning Ordinance and the Board further finds that the more restrictive standards of Article 5-2002 of said Zoning Ordinance are met in this application; and

WHEREAS, on January 30, 1997 the Planning Commission held a public hearing and reviewed the special exception request, and on February 27, 1997 recommended approval of the request; now, therefore, be it

RESOLVED, by the Fauquier County Board of Supervisors this 15th day of April 1997, That Special Exception #SE97-L-02, B.G. Sowder Property (PIN 6970-49-3033-000), be and is hereby, approved subject to the following finding and conditions:

1. This approval shall only be for the location and operation of a recirculating sand filtration system and to discharge treated domestic waste into a tributary of the Rappahannock River for the proposed residence on a 2.1018 acre lot.
2. The system shall remain in conformance with all County and State Department of Health requirements at all times.
3. Health Department guidelines for the maintenance of the system and the frequency of system monitoring shall be followed.
4. A maintenance contract shall be entered into with a reputable agency to carry out the schedule for the necessary system maintenance.
5. The deed for this property shall indicate that the system exists on the site and note the conditions of special exception approval.
6. The extent and amount of any wetlands and any required mitigation will be determined at building permit stage.
7. Permission will need to be secured from the electric company if the discharge line crosses their easement.
8. Permission will need to be secured from the Virginia Department of Transportation if the discharge enters their right-of-way.
9. All above ground portions of the sewage disposal system shall be screened with landscaping and berms which shall be in place prior to issuance of an occupancy permit.
10. If the on-site discharge area becomes dry, the owner shall ensure that any applicable effluent discharge requirements of County and State regulations are met.

FAUQUIER COUNTY CODE AMENDMENT - CHAPTER 10 - SOLID WASTE ORDINANCE

A public hearing was held to consider amending Chapter 10 of the Fauquier County Code relating to the Solid Waste Ordinance. No one spoke. The public hearing was closed. Mr. Burton moved to adopt the following ordinance. Mr. Brumfield seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry

L. Weeks

Nays: None

Absent During Vote: None

Abstention: None

ORDINANCE

AN ORDINANCE TO AUTHORIZE AMENDMENTS TO CHAPTER 10 OF THE FAUQUIER COUNTY CODE

WHEREAS, Chapter 10 of the Fauquier County Code currently states that the Director of General Services is to issue permits for the collection and disposal of solid waste; and

WHEREAS, the consideration of School and County functions eliminated the Director of General Services; and

WHEREAS, the Director of Solid Waste Management is now responsible for the duties previously assumed by the Director of General Services; and

WHEREAS, the Code of Virginia prohibits certain "open dumps" as defined in the Code of Virginia and a parallel provision in the Fauquier County Code may aid in the enforcement of Chapter 10 of the Ordinance, now therefore, be it

ORDAINED, by the Fauquier County Board of Supervisors this 15th day of April 1997, That Chapter 10 of the Fauquier County Code be and is hereby amended to change all references of the Director of General Services to the Director of Solid Waste Management and incorporate a prohibition against "open dumps."

COMPREHENSIVE PLAN AMENDMENT TO THE NEW BALTIMORE VILLAGE MAP - CHARLES MOORE PROPERTY

A public hearing was held to consider a Comprehensive Plan amendment to the New Baltimore Village map to change the land use designation for two parcels from settlement to commercial neighborhood. The two parcels comprise 2.2 acres and are currently zoned Village (V). The parcels are located on the west side of Lee Highway (Route 15/29) near the intersection with Grays Mill Road (Route 674) and across from the New Baltimore Volunteer Fire Department, PIN #7906-32-3745-000 and #7906-32-1665-000, Scott District. Bonnie Downs, Eloise Trainum, and Charles Moore spoke in favor of the amendment. Barbara Severin spoke in opposition. The public hearing was closed. Mr. Weeks moved to adopt the following resolution. Mr. Brumfield seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry

L. Weeks

Nays: None

Absent During Vote: None

Abstention: None

RESOLUTION

A RESOLUTION TO APPROVE COMPREHENSIVE

PLAN AMENDMENT TO THE NEW BALTIMORE VILLAGE
MAP, #CPA 97-S-01, CHARLES MOORE PROPERTY

WHEREAS, Charles Moore has filed an application to amend the Comprehensive Plan map for New Baltimore Village map by changing the designation of a 2.2 acres (two parcels) from settlement to commercial neighborhood; and

WHEREAS, a review of the land use plan for this general area reveals that there are no other lands in the immediate area designated for commercial neighborhood but that a village commercial designation may be more appropriate; and

WHEREAS, the introduction of a village commercial designation at this location would be more reflective of the property's location within the Village of New Baltimore; and

WHEREAS, the current absence of commercial village designation in New Baltimore does not conform with the Comprehensive Plan definition of a village to have a mixture of land uses; and

WHEREAS, the Fauquier County Planning Commission held a public hearing on February 27, 1997 regarding this comprehensive plan amendment and unanimously recommended denial at its March 27, 1997 meeting but did not preclude a change in land use designation to village commercial; and

WHEREAS, the Board of Supervisors on April 15, 1997, held a public hearing on this Comprehensive Plan Amendment; and

WHEREAS, the Board of Supervisors has determined that the public necessity, convenience, general welfare, or good zoning practice would be satisfied by this amendment to the Fauquier County Comprehensive Plan which would designate this parcel with a village commercial designation; now, therefore, be it

RESOLVED, by the Fauquier County Board of Supervisors this 15th day of April, 1997, That Comprehensive Plan Amendment #97-S-01 to change the land use designation for 2.2 acres on Lee Highway (Route 15/29) and further identified as parcel identification numbers 7906-32-3745-000 and 7906-32-1665-000, from settlement to village commercial be, and is hereby, approved.

COMPREHENSIVE PLAN AMENDMENT TO THE OPAL SERVICE DISTRICT
MAP - VIRGINIA CRANE RENTAL CORPORATION

A public hearing was scheduled for a Comprehensive Plan amendment to the Opal Service District map. Claude T. Compton, representing Virginia Crane Rental Corporation, withdrew the application and requested the public hearing be canceled.

COMPREHENSIVE PLAN AMENDMENT TO THE OPAL SERVICE DISTRICT
MAP - LLOYD A. FORBUSH, BARBARA P. MCLEOD, AND C.A. PAYNE
PROPERTY

A public hearing was held to consider a Comprehensive Plan amendment to the Opal Service District map for a change in the land use designation for four parcels in the southeastern part of the Opal Service District from low density residential and agricultural to commercial highway. The four parcels comprise

approximately 7.5 acres and are all currently zoned RA (Agricultural). The Forbush and Payne parcels are located on the west side of Clarkes Road (Route 608) just north of the intersection with U.S. Route 17. The McLeod parcels are located on the east side of Route 608 across from the Forbush and Payne parcels, PIN #6981-30-7376-000, #6981-30-5147-000, #6981-30-8016-000, and #6981-40-1027-000, Lee District. Gus Forbush and Madge Eicher spoke in favor of the amendment. No one else spoke. The public hearing was closed. Mr. Mangum moved to table the decision until the May 20, 1997 meeting and to make a site visit to the property prior to the meeting. Mr. Weeks seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr.
Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry
L. Weeks
Nays: None
Absent During Vote: None
Abstention: None

COMPREHENSIVE PLAN AMENDMENT TO THE WARRENTON SERVICE
DISTRICT MAP - GEORGE C. AND HELEN F. ELMORE AND MARJORIE
HUFFMAN, OWNERS

A public hearing was held to consider a Comprehensive Plan amendment to the Warrenton Service District map to change the land use designation for two parcels in the northern part of the Warrenton Service District from high density residential to commercial shopping center. The two parcels comprise 17.5 acres and are currently zoned R-4. The parcels are located on the west side of Lee Highway (Route 15/29) between the VDOT commuter parking lot and Airlie Road (Route 605), PIN #6995-23-0001-000 and #6995-23-3305-000, Center District. Merle Fallon, representing the applicants, George Elmore, Malcolm Huffman, and Jerry Kerns spoke in favor of the amendment. Chip Maloney, Mary Morran, Mary Curtis, Lillian Oliver, Barbara Severin, Sue Scheer, Jenna Farrar, Josephine deGive, Ann Rawlings, Kitty Smith, Robert Pitts, and Martha Hadley spoke in opposition. The public hearing was closed. Mr. Brumfield moved to table the decision until the May 20, 1997 meeting. Mr. Weeks seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr.
Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry
L. Weeks
Nays: None
Absent During Vote: None
Abstention: None

COMPREHENSIVE PLAN AMENDMENT AND REZONING REQUEST -
FRANK C. AND CLARA POLAND, OWNERS, AND SMITH-MIDLAND
CORPORATION, APPLICANT

A public hearing was held to consider a Comprehensive Plan amendment to change the land use designation for five acres of a 31.5 acre parcel near the Midland Service District from rural agricultural to general industrial and to rezone the same five acres from RA to I-2. The purpose of the request is to allow Smith-Midland Corporation to expand their outdoor storage area. The five acres is located directly adjacent to other property owned by Smith-Midland Corporation on the southeast side of Catlett Road (Route 28), just north of the Midland

Service District, PIN #7900-85-5715-000, Cedar Run District. Ashley Smith and Rodney Smith spoke in favor of the request. No one else spoke. The public hearing was closed. Mr. Burton moved to adopt the following resolution. Mr. Brumfield seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr.
Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry
L. Weeks
Nays: None
Absent During Vote: None
Abstention: None

RESOLUTION

A RESOLUTION TO APPROVE COMPREHENSIVE PLAN AMENDMENT
#CPA97-CR-02, SMITH - MIDLAND CORPORATION
FRANK AND CLARA POLAND PROPERTY

WHEREAS, the Smith - Midland Corporation, applicants, and Frank and Clara Poland, owners, have filed an application to amend the Fauquier County Comprehensive Plan for five acres of a 31.5 acre parcel near the Midland Service District from rural agricultural to general industrial; and

WHEREAS, this amendment was filed in accordance with all of the provisions of Article 13-202 of the Fauquier County Zoning Ordinance; and

WHEREAS, the Fauquier County Planning Commission held a public hearing on March 27, 1997 regarding this comprehensive plan amendment and recommended approval; and

WHEREAS, the Board of Supervisors on April 15, 1997, held a public hearing on this Comprehensive Plan Amendment; and

WHEREAS, the Board of Supervisors has determined that the public necessity, convenience, general welfare, or good zoning practice would be satisfied by this amendment to the Fauquier County Comprehensive Plan; now, therefore, be it

RESOLVED, by the Fauquier County Board of Supervisors this 15th day of April 1997, That Comprehensive Plan Amendment CPA 97-CR-02 to change the designation for five acres of a 31.5 acre parcel with the parcel identification number 7900-85-5715-000, from rural agricultural to general industrial and to expand the boundary of the Midland Service District to include said five acres be, and is hereby, approved.

Mr. Burton then moved to adopt the following ordinance. Mr. Brumfield seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr.
Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry
L. Weeks
Nays: None
Absent During Vote: None
Abstention: None

ORDINANCE

AN ORDINANCE TO APPROVE REZONING REQUEST #RZ 97-CR-03,
SMITH - MIDLAND CORPORATION (FRANK AND CLARA POLAND
PROPERTY)

WHEREAS, the Smith - Midland Corporation, applicant, and Frank and Clara Poland, owners, have filed an application to amend the Fauquier County Zoning Map by changing the designation for five acres of a 31.5 acre parcel near the Midland Service District from RA Agricultural to I-2 (General Industrial); and

WHEREAS, this rezoning request was filed in accordance with all of the provisions of Article 13-202 of the Fauquier County Zoning Ordinance; and

WHEREAS, the Fauquier County Planning Commission held a public hearing on March 27, 1997, regarding this rezoning request and recommended approval; and

WHEREAS, the Board of Supervisors on April 15, 1997, held a public hearing on this Rezoning Request; and

WHEREAS, by the adoption of this Ordinance the Board of Supervisors has determined that the public necessity, convenience, general welfare, or good zoning practice is satisfied by this amendment to the Fauquier County Zoning map; now, therefore, be it

ORDAINED, by the Fauquier County Board of Supervisors this 15th day of April, 1997, That Rezoning Request #RZ 97-CR-03 to change the zoning designation for five acres of a 31.5 acre parcel on the southeast side of Catlett Road (Route 28), identified as part of the parcel identification number 7900-85-5715-000, from RA agricultural to I-2 (general industrial) be, and is hereby, approved subject to the applicant's proffer statement dated March 27, 1997 and the Rezoning Plat dated August 27, 1996 and prepared by VH & D, Inc..

REZONING REQUEST IN THE VILLAGE OF LINDEN - HELEN ATKINS
KENNEY PROPERTY

A public hearing was held to consider a request from Helen Atkins Kenney to rezone three acres of a 20.4 acre parcel in the Village of Linden from RC (Rural Conservation) to V (Village Residential). The purpose of the request is to allow Ms. Kenney to divide the three acres from her main parcel to convey the land to a child. The three acres is located directly adjacent to other lands owned by Ms. Kenney on Atkins Hollow Land (private road) east of the intersection with Harrel's Corner Road (Route 638) near the Warren County line, a portion of PIN #6001-52-2780-000, Marshall District. Ann McCarty, representing Ms. Kenney, and David Kenney spoke in favor of the request. No one else spoke. The public hearing was closed. Mr. Green moved to adopt the following ordinance. Mr. Weeks seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr.
Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry
L. Weeks
Nays: None
Absent During Vote: None
Abstention: None

ORDINANCE

AN ORDINANCE TO APPROVE REZONING REQUEST #RZ 97-M-03,
VILLAGE OF LINDEN (HELEN ATKINS KENNEY PROPERTY)

WHEREAS, Helen Atkins - Kenney has filed an application to amend the Fauquier County Zoning Map by changing the designation for 3.0825 acres of a 20.41 acre parcel near the Village of Linden from RC Conservation to Village Residential (V); and

WHEREAS, this rezoning request was filed in accordance with all of the provisions of Article 13-202 of the Fauquier County Zoning Ordinance; and

WHEREAS, this 3.0825 acres is designated for village residential uses in the Fauquier County Comprehensive Plan; and

WHEREAS, the Fauquier County Planning Commission held a public hearing on March 27, 1997, regarding this rezoning request and recommended approval; and

WHEREAS, the Board of Supervisors on April 15, 1997, held a public hearing on this Rezoning Request; and

WHEREAS, by the adoption of this Ordinance the Board of Supervisors has determined that the public necessity, convenience, general welfare, or good zoning practice is satisfied by this amendment to the Fauquier County Zoning map; now, therefore, be it

ORDAINED, by the Fauquier County Board of Supervisors this 15th day of April, 1997, That Rezoning Request #RZ 97-M-03 to change the zoning designation for 3.0825 acres of a 21.4 acre parcel on Atkins Hollow Lane, identified as part of the parcel identification number 6001-52-2780-000, from RC conservation to village residential (V) be, and is hereby, approved subject to the Rezoning Plat dated November 7, 1996 and prepared by Richard W. Thomas, surveyor.

REZONING REQUEST IN THE VILLAGE OF ORLEAN - FOUR SEASONS,
INC., OWNER, AND THE FAUQUIER COUNTY BOARD OF SUPERVISORS,
APPLICANT

A public hearing was held to consider a request to rezone a 0.5 acre parcel in the Village of Orlean from V (Village Residential) to VC (Village Commercial). The Board of Supervisors initiated this action. The parcel is the current site of the Village Store. A commercial operation has existed on this site for approximately 70 years. The parcel is located on the west side of Lees Manor Road (Route 688) just south of the intersection of John Barton Payne Road (Route 732) in the Village of Orlean, PIN #6935-66-0786-000, Marshall District. Ron Merzlak, Dawn Merzlak, and Cynthia Keller spoke in favor of the request. Mary Hawk spoke in opposition. The public hearing was closed. Mr. Green moved to table the decision until the May 6, 1997 meeting. Mr. Weeks seconded, and the vote for the motion was unanimous as follows:

Ayes: Mr. David C. Mangum; Mr. James G. Brumfield; Mr.
Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. Larry
L. Weeks

Nays: None

Absent During Vote: None

Abstention: None

With no further business, the meeting was adjourned.